

contacted concerning the extension and state whether opposing counsel objects. Requests to change the pretrial conference date will not be granted absent a demonstrated showing of good cause. **Please call 406-247-4021 at the time specified and wait for the Judge's law clerk to come on line.**

4. Lead counsel for the respective parties shall confer to consider the matters listed in Fed. R. Civ. P. 26(f). On or before **June 28, 2010**, the parties shall jointly file with the Court a written report outlining the discovery plan formulated at the conference.

Pursuant to Fed. R. Civ. P. 26(f)(2), the parties will design the discovery plan to require simultaneous disclosure of all liability experts. Plaintiff's damages experts shall be disclosed on the same day. Defendant's damages experts shall be disclosed thirty days thereafter. Expert disclosures must comply with Fed. R. Civ. P. 26(a)(2)(B) on or before the deadline for disclosure. Discovery shall close thirty to sixty days after the deadline for disclosure of Defendant's damages experts. The parties should propose a date certain for the close of discovery. Other dates, including a motions deadline and a trial date, will be set at the preliminary pretrial conference.

The parties should also bear in mind that, as the case develops, they may agree among themselves to extend discovery. Fed. R. Civ. P. 29. However, the discovery deadline set by the Court will not be continued, nor will the Court entertain discovery motions based on post-deadline occurrences.

5. On or before **June 28, 2010**, counsel for the respective parties shall each file a preliminary pretrial statement. See Fed. R. Civ. P. 26(a)(1). The statement shall address all matters listed in L.R. 16.2(b)(1). Defendants' preliminary pretrial statement was filed on June 2, 2010.

6. Each party to the case must be represented at the pretrial conference by at least one person with authority to enter stipulations. The Court intends to implement Rule 1 and Rule 16 of the Federal Rules of Civil Procedure to the fullest extent possible.

7. Prior to the preliminary pretrial conference, the parties shall confer with one another and consider whether participation in an Early Neutral Evaluation would be beneficial to the abovementioned case. If the parties agree, this Court shall order Early Neutral Evaluation. Even if the parties disagree, this Court may order Early Neutral Evaluation. L.R. 16.6(B)(2).

8. Counsel are advised that incomplete or inadequate information on the preliminary pretrial statement will be deemed an admission by counsel that the matter is non-complex and may result in the case being set on an expedited trial docket.

DATED this 15th Day of June, 2010.

/s/ Richard F. Cebull _____
RICHARD F. CEBULL
U.S. DISTRICT COURT JUDGE